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DECISION



**THE COMPTROLLER GENERAL
OF THE UNITED STATES**
WASHINGTON, D.C. 20548

FILE:
B-192358

DATE: July 21, 1978

MATTER OF:
Jonard Industries Corp.

DIGEST:

Where protest is filed with GAO more than 10 working days after receipt by protester of denial by contracting activity of original protest to activity, protest is untimely filed and not for consideration.

The Jonard Industries Corp. (Jonard) by its telex of April 28, 1978, protested to the contracting officer the proposed award of a contract to another firm under General Services Administration Region 6 invitation for bids No. FTBP-BN-2792-HD-F in view of the determination that Jonard was not a responsible bidder for the purposes of the procurement. This protest was denied by the GSA Federal Supply Service in its letter of May 15. Jonard protested to our Office by letter of July 5 which was received on July 10.

It is provided in our Bid Protest Procedures (see 4 C.F.R. § 20.2(a) (1977)) that a protest filed initially with the contracting activity must be filed with our Office within 10 working days of the protester's receipt of the initial denial by the contracting activity of the protest in order for it to be considered timely by our Office. Since it would appear that the Jonard protest to our Office was initiated, at the minimum, more than 10 working days after it had received notice of the denial of its protest by the Federal Supply Service, the protest is untimely and will not be considered.

Paul G. Dembling
Paul G. Dembling
General Counsel